

BROOKINGS COUNTY COMMISSION MEETING

Tuesday, September 12, 2006

The Brookings County Board of County Commissioners met in regular session on Tuesday, September 12, 2006, with the following members present: Dennis Falken, Emil Klavetter, Donald Larson, and Mary Negstad. Deanna Santema was not present due to the 24/7 conference.

CALL TO ORDER

Chairperson Falken called the meeting to order.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CONSENT AGENDA

Chairperson Falken called for a motion to approve the Consent Agenda. Motion by Klavetter, seconded by Negstad, to approve the agenda for the September 12, 2006 Commission Meeting as amended: adding general budget discussions to Regular Business. Roll Call Vote: Larson "Aye", Negstad "Aye", Klavetter "Aye", Falken "Aye." Motion Carried.

Minutes: September 5, 2006 Commission Meeting.

Welfare Matters: Case # 06-124 for Brookings Utilities was approved; Case # 06-095 for Avera McKennan was denied; Case # 06-126 for rent was approved; Case # 06-127 for Rent and Brookings Utilities was approved; Case # 06-128 for rent was denied.

Travel/Education: Joyce Caugherty to work in the Watertown WIC office on August 28, 2006, September 15, 2006, September 25, 2006 and October 5, 2006; Stacy Steffensen to conduct election training in Elkton, SD on September 25, 2006 and to attend Election training in Aberdeen on September 19, 2006.

ROUTINE BUSINESS

Motion by Negstad, seconded by Klavetter to approve the following claims. Roll Call Vote: Negstad "Aye", Klavetter "Aye", Larson "Aye", Falken "Aye." Motion Carried.

A&B BUSINESS,REPAIR & MAINT. \$80.27; ACTION PROCESS SERVING,COURT CASE EXPENSE 23.00; ALLTEL,TELEPHONE \$43.62; ANAWSKI, MARK D.,PAYROLL RECEIVABLE/EMPLOY \$500.00; ANDERSON OIL,SUPPLIES & MATERIALS \$1578.78; ARAGON, MARTHA A.,COURT CASE EXPENSE \$50.00; ARCHER, MATTHEW,PAYROLL RECEIVABLE/EMPLOY \$500.00; AT&T,TELEPHONE \$90.48; AULT, CYNDI,PAYROLL RECEIVABLE/EMPLOY \$500.00; BAKKEN, KELLY,PAYROLL RECEIVABLE/EMPLOY \$500.00; BANNER ASSOCIATES,PROFESSIONAL SERVICES \$10970.10; BECKMAN, EUGENE & SONS,SUPPLIES & MATERIALS \$112.54; BILLION, JOHN H.,ADULT DEFENSE \$844.75; BOYER FORD TRUCK,REPAIRS & MAINT.

\$535.13; BRKGS AREA CHAMBER, TRAVEL & CONFERENCE \$39.00; BRKGS AREA HUMAN RESOURCE, PROFESSIONAL SERV. & FEES \$110.00; BRKGS. CITY UTILITIES, OFFICE MAINTENANCE & UTIL \$11562.19; BRKGS CO TREASURER, COURT CASE EXPENSE \$4607.73; BRKGS DAILY REGISTER, SUPPLIES & N MATERIALS \$132.21; BRKGS. HOSPITAL, BLOOD TESTS \$3767.40; BROOKINGS HOSPITAL, PROFESSIONAL SERV. & FEES \$455.14; BROOKINGS INN, LEPC \$123.88; BROOKINGS SCHOOL DIST 5-1, DOJ/OJP \$37434.86; BROWN, DENISE, PAYROLL RECEIVABLE/EMPLOY \$500.00; BRUGGER, SUSAN, ADULT DEFENSE \$3361.93; BUSETH, VICKI, TRAVEL & CONFERENCE \$8.00; CDW GOVERNMENT INC, SUPPLIES & MATERIALS \$504.00; C&R SUPPLY, INC., SUPPLIES & MATERIALS \$120.94; C&W REPAIR, MACHINERY AND EQUIPMENT \$800.00; CAYLOR, CARA, PAYROLL RECEIVABLE/EMPLOY \$500.00; CENTURY BUSINESS PRODUCT, SUPPLIES & MATERIALS \$64.91; CHAPMAN, NICHOLE, PAYROLL RECEIVABLE/EMPLOY \$500.00; CHIEF SUPPLY INC, SUPPLIES & MATERIALS \$117.93; CLITES ELECTRIC INC, REPAIRS AND MAINTENANCE \$112.24; COOK'S RECYCLING, UTILITIES \$757.30; DEJONG, DARREN J., PAYROLL RECEIVABLE/EMPLOY \$500.00; DEN-WIL INC, RENTAL/COMM. HEALTH \$1576.24; DIETRICH, DONNA K., PROFESSIONAL SERV. & FEES \$150.79; DOCKENDORF EQUIPMENT INC, MACHINERY & EQUIPMENT \$14485.25; EAST CENTRAL MULTI-DIST., TRAVEL & CONFERENCE \$220.00; EAST DAKOTA WATER DEVE., AMOUNT HELD FOR WATER CON \$194.93; EGGEBRAATEN, THEODORE V., SUPPLIES & MATERIALS \$460.55; EINSPAHR AUTO PLAZA, REPAIRS & MAINTENANCE \$6364.76; ELECTION SYS & SOFTWARE, SCANNER PROGRAMMING \$1159.00; ESTELLINE COMMUNITY OIL, SUPPLIES & MATERIALS \$1490.00; ESTELLINE FIRE DEPT, OTHERS-SHORT \$15000.00; EXCHANGE, THE, SUPPLIES & N MATERIALS \$10.00; FITE, ROBERT G, ADULT DEFENSE \$405.00; FOERSTER WHOLESALE SUPPLY, SUPPLIES & MATERIALS \$148.90; G&K SERVICES, REPAIRS & MAINT. \$517.57; GRAYBAR ELECTRIC CO INC, SUPPLIES & MATERIALS \$87.77; GREAT PLAINS INTNL, SUPPLIES & MATERIALS \$313.13; HAGEDORN, JAMES, TRAVEL & CONFERENCE \$708.00; HAROLD'S PHOTO CENTERS, SUPPLIES & MATERIALS \$47.12; HAUFFE, KONARD DDJ, MEDICAL SERVICE/LIENABLE \$30.01; HAUGEN, RICHARD, PAYROLL RECEIVABLE/EMPLOY \$500.00; HAWLEY INSURNACE SERVICES, PROFESSIONAL SERV. & FEES \$50.00; HILL ALTERATIONS, CITIZEN CORP. \$75.00; HOGAN, TIM, ADULT DEFENSE \$322.38; HURON CULVERT & TANK, SUPPLIES & MATERIALS \$4331.38; HY-VEE FOOD STORE, PRISONER RATION \$9975.23; INSTY-PRINTS, SUPPLIES & MATERIALS \$16.82; INTERSTATE TELECOM. COOP, DATABASE SERVICE-ITC \$713.45; JENSEN, RANDY J., TRAVEL & CONFERENCE \$8.96; JOHNSON, JEROME, TRANSCRIPTS (NON) \$238.00; KABEISEMAN & POLLARD, CRT APPORT. ATT'Y/M.I. \$175.80; KIDWILER, MARY, TRAVEL & CONFERENCE \$8.00; KLAVETTER, EMIL, TRAVEL & CONFERENCE \$61.12; KLEINJAN, DARREL, TRAVEL & CONFERENCE \$12.16; KNUTSON, DUANE, TRAVEL & CONFERENCE \$2.88; KNUTSON, JEFF OR STACY, AM'T HELD FOR SHERIFF TRU \$990.59; KOOISTRA, NELVA, PROFESSIONAL SERV. & FEES \$24.00; L&L PARTS, SUPPLIES & MATERIALS \$1074.41; LILLA, CHRISTOPHER L., PAYROLL RECEIVABLE/EMPLOY \$500.00; LOCATORS & SUPPLIES, SUPPLIES & MATERIALS \$7.32; LUKONEN, DOUGLAS D, SUPPLIES & MATERIALS \$40.40; MCKEEVER'S VENDING, SUPPLIES & MATERIALS \$758.00; MCKENNAN HOSPITAL, CRT APPORT. ATT'Y/M.I. \$580.00; MCI WORLDCOM, UTILITIES \$316.88; M&T FIRE & SAFETY INC., SUPPLIES & MATERIALS \$481.75; MAHER, RAE LYNN, PAYROLL RECEIVABLE/EMPLOY \$500.00; MARTIN'S INC., SUPPLIES & MATERIALS \$1567.40; MASTERCARD, SUPPLIES & MATERIALS \$3418.60; MAY & JOHNSON, PC, ADULT DEFENSE \$491.73; MID-AMERICAN RESEARCH, SUPPLIES & MATERIALS \$106.73; MINNEHAHA COUNTY AUDITOR, CRT APPORT. ATT'Y/M.I. \$1687.00; NELSON, DARREL E., TRAVEL & CONFERENCE \$6.08; NELSON, NANCY J., ADULT DEFENSE \$373.16; NOGELMEIER, AMBERLYN, PAYROLL RECEIVABLE/EMPLOY \$500.00; O'BRIEN, SEAN M., ADULT DEFENSE \$1170.76; OFFICE DEPOT, SUPPLIES & MATERIALS \$206.12; OFFICE SYSTEMS INC, SUPPLIES & MATERIALS \$2192.48; OLD DOMINION BRUSH, SUPPLIES & MATERIALS

\$856.81; OLSON & JOHNSON INTL INC, REPAIRS & MAINT. \$22.93; OLSON, ROBERT, PAYROLL RECEIVABLE/EMPLOY \$500.00; QUALIFIED PRESORT, MV NOTICES/TAX NOTICES \$817.74; QUAM, BENJAMIN, PAYROLL RECEIVABLE/EMPLOY \$500.00; RFD, PUBLISHING \$2974.30; REHFUSS, CATHY, PROFESSIONAL SERV. & FEES \$24.00; RELIANCE TELEPHONE, INMATE/TELEPHONE \$2000.00; REVENUE, S.D. DEPT., PROFESSIONAL SERV. & FEES \$237549.20; REVENUE, DEPT OF, AM'T HELD FOR SHERIFF TRU \$2408.91; ROBBINS, JEFF, TRAVEL & CONFERENCE \$17.28; RUNNING'S BIG "R", SUPPLIES & MATERIALS \$122.23; SAATHOFF, LAYNE, TRAVEL & CONFERENCE \$14.72; SD PUBLIC ASSURANCE, OTHER INSURANCE \$108770.44; G4S JUSTICE SERVICES, INC, TRAVEL & CONFERENCE/GRANT \$220.22; SHEEHAN MACK SALES, REPAIRS & MAINT. \$248.62; SIOUX FALLS TWO WAY RADIO, SUPPLIES & MATERIALS \$1868.54; SIOUX VALLEY WIRELESS, TELEPHONE \$37.95; SLOCUM, IDA, SUPPLIES & MATERIALS \$383.00; SMITH, JODY O., ADULT DEFENSE \$98.80; SOFTWARE SERVICES INC., DATA PROCESSING/SOFTWARE \$568.75; SOUTH DAKOTA LTAP, TRAVEL & CONFERENCE \$60.00; SPENCE, KRISTA, PAYROLL RECEIVABLE/EMPLOY \$500.00; SPRINT, TELEPHONE \$28.45; STATE OF SOUTH DAKOTA, PROFESSIONAL SERV. & FEES \$37.00; STEE, ROSE MARIE, SUPPLIES & MATERIALS \$323.08; STOLTENBURG, MICHAEL, PAYROLL RECEIVABLE/EMPLOY \$500.00; STURDEVANT'S AUTO, SUPPLIES & MATERIALS \$238.85; SWEEBE, BART, PAYROLL RECEIVABLE/EMPLOY \$500.00; TANGEN, LAURIE, TRAVEL & CONFERENCE \$205.16; TOLK, NICOLE, PAYROLL RECEIVABLE/EMPLOY \$500.00; TORGRUDE, LIONEL, DIRECTOR/TRAVEL \$180.50; TRANA, KRISTIN, TRAVEL & CONFERENCE \$67.84; UMBERGER, CHARLES, PAYROLL RECEIVABLE/EMPLOY \$500.00; UPS STORE, PROFESSIONAL SERV. & FEES \$5.33; VERIZON WIRELESS, TELEPHONE \$245.02; VETERANS INFOR. SERV., SUPPLIES & MATERIALS \$45.00; VOLUNTEERS OF AMERICA, TURNING POINT (PRE) \$1890.00; WW TIRE SERVICE INC, REPAIRS & MAINT. \$247.10; WAGNER REAL ESTATE, INSPECTION FEES \$900.00; WALMART COMMUNITY, SUPPLIES & MATERIALS \$474.79; WALMART COMMUNITY, SUPPLIES & MATERIALS \$44.85; WEST GROUP, AM'T HELD FOR LAW LIBRARY \$1211.86; WHITE, CITY OF, TELEPHONE \$92.12; YANKTON COUNTY SHERIFF, TRAVEL \$33.00; YANKTON COUNTY TREASURER, PROFESSIONAL SERV. & FEES \$211.10; HENDERSCHIEDT, DALE, JURY & WITNESS \$51.28; JACOBSON, DAVID, JURY & WITNESS \$56.40; LOBAN, DONALD, JURY & WITNESS \$56.40; MEYER, TAMARA, JURY & WITNESS \$51.92; STERUD, PATRICIA, JURY & WITNESS \$53.20; STORHAUG, SHAWN, JURY & WITNESS \$50.64; TORINO, STEVEN, JURY & WITNESS \$56.40; RIPPE, ROBERT, JURY & WITNESS \$20.00; CAMPBELL, JACQUELINE, JURY & WITNESS \$20.00; CHRISTENSEN, DARIN, JURY & WITNESS \$23.84; AULNER, T.J., JURY & WITNESS \$57.12

Deputy Auditor, Krista Spence presented the board with the Auditor's Report.

Motion by Negstad, seconded by Larson, to approve the following transfers as per budget appropriations for the Third Quarter of 2006: From General Fund 10100X4290911 to Emergency Management Fund 22600R3710000 for \$12,500.00; and from General Fund 10100x4294911 to Highway Road & Bridge 20100R4330311 for \$312,500.00. Roll Call Vote: Klavetter "Aye", Larson "Aye", Negstad "Aye", Falken "Aye." Motion Carried.

Be it noted, Register of Deeds' statement of fees collected during the month of July 2006 was filed in the County Auditor's Office in the amount of \$18,742.00.

Be it noted, the Auditor's Account with the Treasurer for August 2006 is as follows:

August 2006	
Total amounts of deposits in banks.....	\$7,823,219.92
Total amount of actual cash: Currency.....	7806.00
Coins.....	71.95
Total amount of checks/drafts in Treasurer's possession not exceeding 3 days...	43,299.59
Itemized list of all items, checks, and drafts in Treasurer's possession over 3 days ...	237.00
Insufficient checks.....	910.18
TOTAL.....	7,875,544.64

Motion by Larson, seconded by Klavetter, to approve for recording purposes and authorize Chairperson Falken to sign Resolution #06-44; a resolution for the plat of Lot 5 of Ramlo Shores subdivision in Government Lot 4 in Section 21-T112N-R47W of the 5th P.M., Brookings County, South Dakota. Roll Call Vote: Larson "Aye", Negstad "Aye", Klavetter "Aye", Falken "Aye." Motion Carried.

REGULAR BUSINESS

Motion by Larson, seconded by Negstad to authorize Chairperson Falken to sign the annual review statement of the Brookings County Pre-Disaster Mitigation Plan. Roll Call Vote: Negstad "Aye", Klavetter "Aye", Larson "Aye", Falken "Aye." Motion Carried.

Motion by Klavetter, seconded by Negstad to approve Resolution #06-45; a resolution approving the rezoning of property from Agricultural District to Commercial District. Roll call vote: Klavetter "Aye," Larson "Aye," Negstad "Aye," Falken "Aye." Motion Carried.

Resolution #06-45

A Resolution Authorizing Rezoning of property from Agricultural District to Commercial District.

WHEREAS, an application was made to the Brookings County Board of Adjustment to rezone property from Agricultural District to Commercial,

WHEREAS, the Brookings County Zoning Board approved the application to rezone at its September 5, 2006 meeting;

WHEREAS SDCL 11-2-30 requires the Brookings County Commission to adopt or reject the change;

THEREFORE BE IT RESOLVED, that the following property be rezoned from Agricultural District to Commercial District:

Lot BP6 & BP6A in SW ¼ of Section 4, Township 109 North, Range 47 West of the 5th Principal Meridian, Brookings County, South Dakota. Subject to public road right-of-way and easements of Record.

Dated this 12th day of September, 2006

Dennis Falken, Chairperson
Brookings County Commission

ATTEST:

Janet Willmott, Auditor
Brookings County

Motion by Klavetter, seconded by Negstad to approve Resolution #06-46; a resolution approving the rezoning of property from Agricultural District to Lake Park District. Roll Call Vote: Larson "Aye," Negstad "Aye," Klavetter "Aye," Falken "Aye." Motion Carried.

Resolution #06-46

**A Resolution Authorizing Rezoning of property from
Agricultural District to Lake Park District.**

WHEREAS, an application was made to the Brookings County Board of Adjustment to rezone property from Agricultural District to Lake Park District,

WHEREAS, the Brookings County Zoning Board approved the application to rezone at its September 5, 2006 meeting;

WHEREAS SDCL 11-2-30 requires the Brookings County Commission to adopt or reject the change;

THEREFORE BE IT RESOLVED, that the following property be rezoned from Agricultural District to Lake Park District:

Lot 5 of Ramlo Shores Subdivision located in E 1/2NW1/4 & Gov't Lots 3 & 4 of Brookings County, South Dakota. Subject to public road right-of-way and easements of Record.

Dated this 12th day of September, 2006

Dennis Falken, Chairperson
Brookings County Commission

ATTEST:

Janet Willmott, Auditor
Brookings County

Zoning and Drainage Director, Robert Hill, presented the first reading of Ordinance #2006-03; An ordinance providing for the amendment of the 1997 Revised Zoning Ordinance. The second reading will be held on September 26, 2006.

Motion by Negstad, seconded by Klavetter to authorize Chairperson Falken to sign the draft stipulation for the Application of Xcel Energy Wind Project. Roll Call Vote: Negstad "Aye," Klavetter "Aye," Larson "Aye," Falken "Aye." Motion Carried.

Motion by Klavetter, seconded by Negstad to approve Resolution #06-47; a resolution establishing policy for the distribution of electronic information. Roll Call Vote: Klavetter "Aye," Larson "Aye," Negstad "Aye," Falken "Aye." Motion Carried.

Resolution #06-47

**A Resolution Establishing Policy for the Distribution
of Electronic Information**

WHEREAS, Brookings County Auditor, Register of Deeds, Treasurer and Equalization Offices electronically maintain records used for conducting county business;

WHEREAS, individuals who wish to view or obtain public information on file with these County Offices may do so during regular business hours;

WHEREAS, Brookings County has also established a fee based website where electronic information is available;

WHEREAS, distributing electronic information obtained by the Director of Equalization Office may violate the Uniform Standards of Professional Appraiser's Practices; and distributing electronic information obtained by the Auditor, Register of Deeds, and Treasurer Offices may violate the Federal Privacy Act;

WHEREAS, Brookings County allows distribution of electronic information to other agencies if it is going to be used by another governmental agency or for another governmental purpose, when approved by the County Commission;

THEREFORE BE IT RESOLVED, that Brookings County will only sell electronic information to the non governmental agencies through the County's fee based website;

Adopted this 12th day of September, 2006.

Dennis Falken, Chairperson
Brookings County Commission

ATTEST:

Janet Willmott, Auditor
Brookings County

Motion by Larson, seconded by Negstad to approve and authorize Chairperson Falken to sign Application for Abatement #06-14 from Sharon Cleveland, Legal Description: Lot 12 S 4' of Lot 13, Bl 7, Folsom Addition in the City of Brookings, Brookings County, South Dakota for the amount of \$118.72. Roll Call Vote: Larson "Aye," Negstad "Aye," Klavetter "Aye," Falken "Aye." Motion Carried.

Highway Superintendent, Ted Eggebraaten, met with the board to review the bids received for the sale of four motor graders.

Motion by Klavetter, seconded by Negstad to approve the sale of the 1998 Caterpillar Motor Grader, S/N 4MY02491, to the high bidder, David Coffee of Phoenix, Arizona for \$112,500.00. Roll Call Vote: Negstad "Aye," Klavetter "Aye," Larson "Aye," Falken "Aye." Motion Carried.

Motion by Larson, seconded by Klavetter to approve the sale of the 2002 Caterpillar Motor Grader, S/N 2K07474 to high bidder, Bowes Construction of Brookings, South Dakota for \$151,100.00. Roll Call Vote: Klavetter "Aye," Larson "Aye," Negstad "Aye," Falken "Aye." Motion Carried.

Motion by Klavetter, seconded Negstad to approve the sale of the 2002 Caterpillar Motor Grader, S/N 2ZK07475 to high bidder, Iron Planet for \$141,800.00. Roll Call Vote: Larson "Aye," Negstad "Aye," Klavetter "Aye," Falken "Aye." Motion Carried.

Motion by Klavetter, seconded by Larson to approve the sale of the 2002 Caterpillar Motor Grader, S/N 2ZK07484 to high bidder, Iron Planet for \$139,100.00. Roll Call Vote: Negstad "Aye," Klavetter "Aye," Larson "Aye," Falken "Aye." Motion Carried.

Commission Assistant/Human Resources Director, Stephanie Vogel, met with the board to discuss changes to the 2007 Provisional Budget. A Budget Hearing is scheduled for September 22, 2006 at 2:00p.m.

COMMISSION ASSISTANT / HUMAN RESOURCES REPORT

Commission Assistant/Human Resources Director, Stephanie Vogel, presented the board with the Commission Assistant/Human Resources Report. Vogel discussed personnel matters, what other counties are charging for Wheel Tax, and updated the board on the ARCIMS training that GIS Coordinator, Jim Hagedorn, attended in Kansas City on August , 21-25, 2006.

Be it noted: the board approved the following Personnel Action Notices: New Hires: Temporary Election Workers- Rebecca Carlson \$9.00; Jerry Fiedler \$9.00; Charlene Honkomp \$9.00; Ann Spitzenberger \$9.00.

COMMISSIONER'S OPEN DISCUSSION

Commissioner Klavetter reported on the Moody County visit with Stephanie Vogel, the Planning and Zoning Meeting, and a Legislative Coffee held at SDSU.

Commissioner Negstad reported on her visit to the Extreme Makeover/Home Edition site visit.

Commissioner Larson reported on the Government Affairs meeting, and the State Association meeting discussing Initiated Measure 8.

Commissioner Falken reported on the SDSU research park ground breaking and the Extreme Makeover/Home Edition VIP viewing.

EXECUTIVE SESSION

Motion by Klavetter, seconded by Larson to enter into Executive Session at 9:54am Roll Call Vote: Klavetter "Aye," Larson "Aye," Negstad "Aye," Falken "Aye." Motion Carried. Chairperson Falken declared Executive Session over at 9:56am Reason- Personnel Matters. No action was taken.

ADJOURNMENT

There being no further business, Chairperson Falken declared the meeting adjourned until 8:30am Tuesday, September 26, 2006.

It is the policy of Brookings County, South Dakota, not to discriminate against the Handicapped in Employment or the Provision of Service. The County of Brookings is responsive to requests for communication aids and the need to provide appropriate access, and will provide alternative formats and accessible locations consistent with the Americans With Disabilities Act.

Krista Spence
Deputy Auditor
Brookings County Auditor's Office